IN THE CLAIMS

Please amend the claims as follows:

1.   (Currently Amended) A method, comprising:

scanning available channels;

measuring a received signal power level for the channels scanned in said scanning;

comparing the measured received signal power level to a threshold value to provide a difference;

if the difference is greater than a predetermined value, then indicating the channel as occupied, otherwise indicating the channel as available; [[and]]

_____ determining a larger gap between available channels; and

selecting a channel ~~from a channel indicated as available~~ within the larger gap.

2.   (Canceled).

3.   (Currently Amended) A method as claimed in claim 1, ~~further comprising determining a larger gap between available channels,~~ wherein said selecting includes selecting a channel at a midpoint within the larger gap.

4.   (Currently Amended) A method as claimed in claim 1, further comprising: ~~determining a larger gap between available channels,~~ in the event there are two or more larger gaps, selecting a larger gap at a higher frequency, wherein said selecting includes selecting a channel within the larger gap at a higher frequency.

5.   (Currently Amended) A method as claimed in claim 1, further comprising: ~~determining a larger gap between available channels,~~ in the event there are two or more larger gaps, selecting a larger gap at a higher frequency, wherein said selecting includes selecting a channel within a midpoint of the larger gap at a higher frequency.

6.   (Original) A method as claimed in claim 1, further comprising determining whether a collision is detected at the channel selected in said selecting, and, if a collision is detected, selecting a new channel by executing the method again at said scanning.

7.   (Currently Amended) An article comprising a storage medium having stored thereon instructions that, when executed by a computing platform, result in dynamic frequency selection in a wireless local area network by:

scanning available channels;

measuring a received signal power level for the channels scanned in said scanning;

comparing the measured received signal power level to a threshold value to provide a difference;

if the difference is greater than a predetermined value, then indicating the channel as occupied, otherwise indicating the channel as available; [[and]]

determining a larger gap between available channels; and

selecting a channel from a channel indicated as available within the larger gap.

8.   (Canceled).

9.   (Currently Amended) An article as claimed in claim 7, wherein the instructions when executed further result in dynamic frequency selection in a wireless local area network by determining a larger gap between available channels, wherein said selecting includes selecting a channel at a midpoint within the larger gap.

10.   (Currently Amended) An article as claimed in claim 7, wherein the instructions when executed further result in dynamic frequency selection in a wireless local area network by determining a larger gap between available channels, in the event there are two or more larger gaps, selecting a larger gap at a higher frequency, wherein said selecting includes selecting a channel within the larger gap at a higher frequency.

11.   (Currently Amended) An article as claimed in claim 7, wherein the instructions when executed further result in dynamic frequency selection in a wireless local area network by ~~determining a larger gap between available channels~~, in the event there are two or more larger gaps, selecting a larger gap at a higher frequency, wherein said selecting includes selecting a channel within a midpoint of the larger gap at a higher frequency.

12.   (Original) An article as claimed in claim 7, wherein the instructions when executed further result in dynamic frequency selection in a wireless local area network by determining whether a collision is detected at the channel selected in said selecting, and, if a collision is detected, selecting a new channel by executing the method again at said scanning.

13.   (Original) An apparatus, comprising:
        a transceiver: and
        a baseband processor to couple to said transceiver; wherein said baseband processor is capable of dynamically selecting a frequency on which to communicate via said transceiver on a wireless local area network by:
        scanning available channels;
        measuring a received signal power level for the channels scanned in said scanning;
        comparing the measured received signal power level to a threshold value to provide a difference;
        if the difference is greater than a predetermined value, then indicating the channel as occupied, otherwise indicating the channel as available; and
        selecting a channel from a channel indicated as available.

14.   (Original) An apparatus as claimed in claim 13, wherein said baseband processor is further capable of dynamically selecting a frequency on which to communicate via said transceiver by determining a larger gap between available channels, wherein said selecting includes selecting a channel at a midpoint within the larger gap.

15.   (Original) An apparatus as claimed in claim 13, wherein said baseband processor is further capable of dynamically selecting a frequency on which to communicate via said transceiver by determining a larger gap between available channels, in the event there are two or more larger gaps, selecting a larger gap at a higher frequency, wherein said selecting includes selecting a channel within the larger gap at a higher frequency.

16.   (Original) An apparatus as claimed in claim 13, wherein said baseband processor is further capable of dynamically selecting a frequency on which to communicate via said transceiver by determining a larger gap between available channels, in the event there are two or more larger gaps, selecting a larger gap at a higher frequency, wherein said selecting includes selecting a channel within a midpoint of the larger gap at a higher frequency.

17.   (Original) An apparatus, comprising:

an omnidirectional antenna;

a transceiver to couple to said omnidirectional antenna; and

a baseband processor to couple to said transceiver; wherein said baseband processor is capable of dynamically selecting a frequency on which to communicate via said transceiver on a wireless local area network by:

scanning available channels;

measuring a received signal power level for the channels scanned in said scanning;

comparing the measured received signal power level to a threshold value to provide a difference;

if the difference is greater than a predetermined value, then indicating the channel as occupied, otherwise indicating the channel as available; and

selecting a channel from a channel indicated as available.

18.   (Original) An apparatus as claimed in claim 17, wherein said baseband processor is further capable of dynamically selecting a frequency on which to communicate via said transceiver by determining a larger gap between available channels, wherein said selecting includes selecting a channel at a midpoint within the larger gap.

19.   (Original) An apparatus as claimed in claim 17, wherein said baseband processor is further capable of dynamically selecting a frequency on which to communicate via said transceiver by determining a larger gap between available channels, in the event there are two or more larger gaps, selecting a larger gap at a higher frequency, wherein said selecting includes selecting a channel within the larger gap at a higher frequency.

20.   (Original) An apparatus as claimed in claim 17, wherein said baseband processor is further capable of dynamically selecting a frequency on which to communicate via said transceiver by determining a larger gap between available channels, in the event there are two or more larger gaps, selecting a larger gap at a higher frequency, wherein said selecting includes selecting a channel within a midpoint of the larger gap at a higher frequency.